

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., May 2, 2006

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the April 25, 2006 regular meeting

AWARDS AND PROCLAMATIONS

- Proclamation:
 - Cinco de Mayo Celebration Days

PUBLIC AGENDA

1. Bob Brewer, Society of Professional Engineering Employees in Aerospace (SPEEA) - Postcards to Support Keeping Jobs at the Boeing Wichita Site.

CONSENT AGENDA

2. Report of the Board of Bids and Contracts Dated May 1, 2006.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

3. Preliminary Estimates:

- a) Drainage Improvements to 29th Street & Lake Ridge to serve Oak Ridge Addition - west of Ridge Road, north of 29th Street. (468-84164/660520/856101) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$65,000
- b) 2004-2005 Traffic Signalization Program, Phase VI: Install Traffic Signals at 21st Street North & Founders Circle. (472-84402/706911/204377) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$68,180
- c) Storm Water Drain #254 to serve North Ridge Village Addition - north of 37th Street North, west of Ridge. (468-83978/751403/485294) Does not affect existing traffic. (District V) - \$234,000
- d) Storm Water Drain #255 to serve North Ridge Village Addition - north of 37th Street North, west of Ridge. (468-83979/751408/485299) Does not affect existing traffic. (District V) - \$148,000
- e) Village Parkway from the west line of Ridge Road to the east line of Lot 5, Block 1 to serve North Ridge Village Addition - north of 37th Street North, west of Ridge. (472-84201/ 765939/490052) Traffic on Ridge Road shall be maintained thru construction. (District V) - \$799,000
- f) Lateral 394 Four Mile Creek Sewer to serve Whispering Lakes Estates Addition - south of Harry, west of 159th Street East. (468-84142/744168/480856) Does not affect existing traffic. (District II) - \$69,000

RECOMMENDED ACTION: Receive and file.

4. Petitions for Public Improvements:

- a) Construct a sanitary sewer in Krug North Second Addition, north of 21st Street, west of 143rd Street East. (District II)
- b) Construct a sanitary sewer in Wheatridge Addition, north of Kellogg, west of 119th Street West. (District V)
- c) Construct paving, sanitary sewer and water improvements in Fawn Grove at Sunset Lakes Addition, south of Kellogg, west of Greenwich. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

5. Consideration of Street Closures/Uses.

- a) Block Party on Broadway, Sunday, May 21, 2006, 2:00 p.m. to 8:00 p.m.
(300 Block of Broadway between 2nd and 3rd Streets)
- b) Wesley Senior 5K Run, Wednesday, May 31, 2006, 6:00 p.m. to 7:30 p.m.
(700 block of Amidon in front of Botanica)
- c) Kansas Sports Hall of Fame Induction Ceremony, Friday, June 2, 2006, beginning at 5:00 p.m. until Saturday, June 3, 2006 at 6:00 p.m.
(238 North Mead Street in front of Kansas Sports Hall of Fame)

(Item 5 continued)

- d) Special Olympics Kansas Games Opening Ceremony, Friday, June 2, 2006 beginning at 7:00 p.m. until 10:00 p.m.
(3400 Bloc of East 21st Street North, Hillside to Yale)
- e) East meets West Walk/Run, Saturday, June 3, 2006, 7:30 a.m.-10:30 a.m.
 - 1) 7:30 am until 9:00 am - North bound lanes of McLean east of Seneca Street Intersection to Lincoln.
 - 2) 7:30 am until 9:00 am – South bound lanes of McLean east of Seneca Street Intersection to 2nd. Street.
 - 3) 7:30 am until 9:30 am - North bound lanes of McLean east of Seneca Street intersection to Lewis Street.
 - 4) 7:30 am until 10:30 am – North bound lanes of McLean east of Seneca Street intersection to 2nd Street.

RECOMMENDED ACTION: Approve the request subject to: 1) hiring off-duty certified law enforcement officers as required; 2) obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Departments; 3) certificate of Liability Insurance on file with the Community Events Coordinator.

6. Report on Claims Allowed for 2006:

<u>Name of Claimant</u>	<u>Amount</u>
Cousatte, O.R.	\$313.67
Hughes, Claudia	\$475.35 **
James, Annie	\$451.09
Mansouri, Saeed	\$818.48
Shelton, Robert	\$2,125.00
Total Management Services	\$70.00

** Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

7. Expense for Senior Management for Month of March 2006.

RECOMMENDED ACTION: Receive and file.

8. Agreements/Contracts:

- a) Contract Amendment for Laboratory Analysis of Environmental Samples.
- b) Consultant Contract for Air Permit Report Support for Brooks Landfill. (District VI)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

9. Kansas Community Service Tax Credit Program Application. (District VI)

RECOMMENDED ACTION: Support the application and authorize the Mayor to sign the Local Government Endorsement Form.

10. Wichita Employees' Retirement and Police and Fire Retirement Systems Actuarial Valuation Reports, January 1, 2005 – December 31, 2005)

RECOMMENDED ACTION: Receive and file the Wichita Employee's Retirement and Police & Fire Retirement Systems Actuarial Valuation Reports (January 1, 2005 – December 31, 2005, as submitted and approve the 2007 employer retirement fund contribution rates.

11. Storm Water Sewer and Utility Easement at 202 South Gow. (District VI)

RECOMMENDED ACTION: Grant the easement and authorize the necessary signatures.

12. Extension of Contract with Electronic Data System (EDS), for False Alarm Billing.

RECOMMENDED ACTION: Approve the contract extension and authorize the necessary signatures.

13. Grant Application-Homeless Assistance Program.

RECOMMENDED ACTION: Approve the submission of Shelter Plus Care Grant Applications; and authorize the Mayor to sign the requisite applications and subsequent contract award documents and provide a letter of support for the Continuum of Care Application.

14. Operate Downtown Trolley Lunch Routes. (Districts I, IV and VI)

RECOMMENDED ACTION: Approve the trolley shuttle service as proposed.

15. Acquisition of La Quinta Leasehold for East Kellogg Project. (District II)

RECOMMENDED ACTION: Authorize acquisition of the La Quinta Leasehold for \$4,450,000 and authorize the necessary signatures.

16. Second Reading Ordinances: (First read April 28, 2006)

- a) Acquisition by eminent domain for the West 29th Street North Road Improvements from 119th Street West to Maize Road. (District V)

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction and improvement of 29th Street North from Maize to 119th Street West in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof.

- b) Acquisition by eminent domain for the West 37th Street North Road Improvements from Ridge Road to Tyler Road. (District V)

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction and improvement of 37th Street North from Ridge to Tyler in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof.

- c) Acquisition by eminent domain for the proposed bike path from north of Pawnee to the Kansas Turnpike. (District III)

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction and improvement of a bike path along Interstate 135, Gypsum Creek and George Washington Boulevard from north of Pawnee to Kansas Turnpike, in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof.

- d) DR2006-04-Street name change from Armour Drive to Towne East Mall Drive, located west of Rock Road and on the north side of Kellogg. (District II)

An Ordinance changing a street name from Armour Drive to Towne East Mall Drive, be it ordained by the governing body of the City of Wichita, Kansas (DR2006-04)

RECOMMENDED ACTION: Adopt Ordinances.

UNFINISHED BUSINESS

17. Repair or Removal of Dangerous and Unsafe Structures, 1513 North Grove. (District I)
(Deferred April 11, 2006)

RECOMMENDED ACTION: Take appropriate action based on the testimony received at the hearing. Any extension of time granted to repair the structure should be conditioned on the following: 1) the \$242.37 assessment for weed mowing and the \$995.88 special for lot cleanup are paid within seven (7) days; 2) the structure is maintained secure as of May 2, 2006 and is kept secured during renovation; and 3) the premise kept clean and free of debris as of May 2, 2006 and will be so maintained during renovation.

18. *Appeal of Historic Preservation Board Action - Demolition of 123-125 East Douglas. (District I)*
(Deferred April 18, 2006)

RECOMMENDED ACTION: Defer action, instructing the applicant to submit *supplemental* materials that demonstrate that there is “no feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to such historic property resulting from such use”.

NEW BUSINESS

19. Public Hearing and Tax Exemptions Request, Millennium Concepts, LLC. (District IV)

Millennium Concepts, LLC, located at 9050 West Monroe Circle in southwest Wichita, was locally formed in 2002. Millennium Concepts, LLC is now requesting approval of an Economic Development Tax Exemption on new construction and manufacturing equipment in conjunction with the expansion project.

RECOMMENDED ACTION: Close the public hearing and approve first reading of the Ordinance granting Millennium Concepts, LLC a 67% tax exemption on the identified real and personal property improvements for a five-year term and a 67% exemption on the real and personal property for a further five-year period, subject to City Council review.

20. **Letter of Support for Via Christi Free Clinic. (District III)**

The Via Christi Foundation, Inc. proposes to purchase a small office building at 1156 South Clifton and renovate and equip a portion of the building as a charitable care clinic.

RECOMMENDED ACTION: ***Endorse the Via Christi Community Clinic Project and approve the Letter of Support and authorize the Mayor to sign.***

21. **Health Improvement Program-Consultant Contract.**

The City of Wichita's Health Insurance Advisory Board requested the City examine the feasibility of implementing a Wellness Program. On January 19, 2006, Hilb, Rogal & Hobbs, the City's health and benefit consultant, provided that Health Insurance Advisory Committee a proposed Health Improvement Strategy, which was recommended for approval by the Committee.

RECOMMENDED ACTION: Approve the contract and authorize the necessary signatures.

22. **Issue Moratorium on the Acceptance and Approval of License Applications for Rodeos, pursuant to Section 3.08.040 of the Code of the City of Wichita.**

Chapter 3.08 of the City Code currently governs the regulation, permitting and licensing of rodeos. These licensing provisions fail to address health and safety concerns to livestock utilized in such events or the inhumane treatment of such livestock.

RECOMMENDED ACTION: Approve Moratorium on the Issuance of Rodeo Licenses until November 2, 2006 and adopt the Resolution. Staff, based on existing licensing requirements, will process license applications which have been filed with the City Clerk prior to the issuance of the moratorium for events occurring prior to July 9, 2006. No rodeo event shall be approved after July 9, 2006.

23. **Quarterly Financial Report for the Period ending March 31, 2006.**

The Finance Department prepares quarterly unaudited financial reports to monitor and review the financial activities of the operating and capital funds. The report is presented to provide the City Council and citizens with information that will assist in making informed decisions.

RECOMMENDED ACTION: Receive and file.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

24. *VAC2006-00012-Request to vacate a portion of a platted setback, generally located west of Oliver Avenue and south of Mount Vernon. (District III)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

25. *A06-11R Request by Terry L. Edwards and Jolene J. Edwards to annex land generally located southeast of 47th Street South and Meridian Avenue. (District IV)

RECOMMENDED ACTION: Approve the annexation request, place the ordinance on first reading and authorize the necessary signatures.

26. *SUB2006-09-Plat of Legacy Park Wilson Estates Third Addition, located south of 21st Street North and west of Webb Road. (District II)

RECOMMENDED ACTION: Approve documents and plat; authorize the necessary signatures and adopt the resolutions.

27. *DED2006-09-Dedication of a Water Line Easement and DED2006-10-Dedication of Access Control, located on the north side of 29th Street North and east of Rock Road. (District II)

RECOMMENDED ACTION: Accept the Dedications.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

*Consent items

28. *Supplemental Agreements-Rental Car Concession Agreements.

RECOMMENDED ACTION: Approve the Supplemental Agreements and authorize the necessary signatures.

29. *Airport Marketing.

RECOMMENDED ACTION: Approve the expenditure.

30. *Mechanical Systems Improvements.

RECOMMENDED ACTION: Approve the Change Order and authorize the necessary signatures.

CITY COUNCIL

31. Funding Support for the Arts.

RECOMMENDED ACTION: Approve/adopt the resolution and Art Task Force process and recommendations to allocate 1 (one) mill levy annually to be distributed through the Cultural Funding Review process and evaluate after four (4) years.

32. Approval of Travel Expenses for Mayor to attend 74th Annual U.S. Conference of Mayors, June 2-6, 2006.

RECOMMENDED ACTION: Approve the expenditures.

33. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

Adjournment

Workshop to follow